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September 13, 2021

VIA ECF

Hon. Vernon S. Broderick
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

APPLICATION GRANTED

SO ORDERED 

VERNON S. BRODERICK

U.S.D.J. 9/16/2021

The parties are directed to provide an update on the status of settlement discussions by on or before October 18, 2021

Re: J.F. o/b/o D.P. v. Dep't of Educ. 21-cv-4602 (VSB)

Dear Judge Broderick:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, Georgia M. Pestana, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.*, as well as for this action.

I write to request a 90-day stay of this case, including a stay of the deadline by which Defendant must file its answer. Plaintiff consents to these requests, and has agreed to provide billing records for this matter by September 27, 2021. This is the second request for an extension of the time to answer and the first request for a stay. Defendant's previous request for an extension was made on June 14, 2021 and granted on June 16, 2021.

The requested extension would provide Defendant with sufficient time to review the billing records (once provided) with the administrative record, and obtain settlement authority from the New York City Office of the Comptroller. We are hopeful that the parties will settle this matter without the need for further burden on the Court's time.

Accordingly, Defendant respectfully requests that the action be stayed for 90 days.

Thank you for considering these requests.

Respectfully submitted,

Simone Nicholson

/s/

Special Assistant Corporation Counsel

cc: Irina Roller (via ECF)